

AMENDED IN SENATE SEPTEMBER 6, 2013

AMENDED IN ASSEMBLY AUGUST 12, 2013

AMENDED IN ASSEMBLY AUGUST 8, 2013

AMENDED IN ASSEMBLY MAY 30, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

Assembly Joint Resolution

No. 19

Introduced by Assembly Member Pan

(Coauthors: Assembly Members Achadjian, Alejo, Ammiano, Atkins, Bloom, Bocanegra, Bonilla, Bonta, Bradford, Brown, Buchanan, Ian Calderon, Campos, Chau, Chávez, Chesbro, Cooley, Daly, Dickinson, Eggman, Fong, Fox, Garcia, Gatto, Gomez, Gonzalez, Gordon, Gray, Hall, Holden, Jones-Sawyer, Levine, Lowenthal, Medina, Mitchell, Mullin, Muratsuchi, Nazarian, Nestande, Perea, John A. Pérez, V. Manuel Pérez, Quirk, Quirk-Silva, Rendon, Salas, Skinner, Stone, Ting, Weber, Wieckowski, Williams, and Yamada)

April 30, 2013

Assembly Joint Resolution No. 19—Relative to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AJR 19, as amended, Pan. Veterans' ~~benefits; reinstatement.~~ *benefits.*

This measure would urge Congress and the President to ~~reinstate~~ *provide* benefits, including applicable spousal benefits, to those veterans discriminated against solely on the basis of their sexual orientation.

Fiscal committee: no.

1 WHEREAS, In 1993, Congress adopted a policy known as Don't
2 Ask, Don't Tell (DADT), prohibiting service personnel from
3 inquiring, or volunteering information, about their sexual
4 orientation. Prior to 1993, federal law and military regulations
5 prohibited homosexuality in the Armed Forces of the United States;
6 and

7 WHEREAS, From 1980 until the repeal of DADT in 2011, over
8 32,000 service personnel were separated from the Armed Forces
9 of the United States under DADT and its predecessor policies; and

10 WHEREAS, More than 13,000 service personnel were separated
11 from the Armed Forces of the United States after the adoption of
12 DADT. Approximately one-quarter of these discharges occurred
13 during the service member's first four months of service; and

14 WHEREAS, California law prohibits discrimination on the basis
15 of race, national origin, ethnic group identification, religion, age,
16 sex, sexual orientation, color, genetic information, or disability;
17 and

18 WHEREAS, Generally, veterans separated from the military
19 with a discharge that is characterized as "dishonorable" or "other
20 than honorable" are ineligible to receive federal or state veterans'
21 benefits, including applicable spousal benefits; and

22 WHEREAS, Section 711.1 of the Military and Veterans Code
23 assists veterans by requiring the Department of Veterans Affairs
24 to provide Internet resources, Internet links, and printed materials
25 regarding, or created by, veterans' legal services organizations
26 that specialize in military discharge upgrades, or links to Internet
27 resources that provide information and printed resources provided
28 by veterans' legal services organizations. It also provides that if
29 the federal government acts to ~~reinstate~~ *provide* benefits to
30 discharged veterans who were denied those benefits solely on the
31 basis of sexual orientation pursuant to any federal policy
32 prohibiting homosexual personnel from serving in the Armed
33 Forces of the United States, the state shall ~~reinstate~~ *provide* to
34 those veterans any state-offered benefits; and

35 WHEREAS, We must work to ensure that California veterans
36 who were discriminated against solely on the basis of their sexual
37 orientation can access benefits regardless of the classification of
38 their discharge; now, therefore, be it

39 *Resolved by the Assembly and the Senate of the State of*
40 *California, jointly*, That the Legislature urges Congress and the

1 President to ~~reinstate~~ *provide* benefits, including applicable spousal
2 benefits, to those veterans discriminated against solely on the basis
3 of their sexual orientation; and be it further
4 *Resolved*, That the Chief Clerk of the Assembly transmit copies
5 of this resolution to the President and Vice President of the United
6 States, to the Speaker of the House of Representatives, to the
7 Majority Leader of the Senate, and to each Senator and
8 Representative from California in the Congress of the United
9 States.

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